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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,988	02/27/2004	Joel R. Tuss	030048132US	6840

25096 7590 01/18/2007  
PERKINS COIE LLP  
PATENT-SEA  
P.O. BOX 1247  
SEATTLE, WA 98111-1247

EXAMINER
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ADDISON, KAREN B

ART UNIT	PAPER NUMBER
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2834

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/18/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/788,988

Applicant(s)

GOODSON.J

Examiner

Karen B. Addison

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 26-29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21, 24 and 25 is/are rejected.
- 7) ☐ Claim(s) 22 and 23 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) -
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08) .  
Paper No(s)/Mail Date 7/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Claims 26-29 is withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 11/13/06.

### ***Allowable Subject Matter***

2. Claims 22 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Prior art fails to show, a system having an acoustic array that includes spherical array and a two-dimensional array.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-14 and 16-18 rejected under 35 U.S.C. 102(b) as being anticipated by Deline (6420975).

Deline discloses an acoustical system in figs,1-16 comprising: a substrate(418) having a plurality of conductive paths(460,461), the substrate being operatively coupled to an output device(470), and a plurality of acoustical transducers(455,456) carried by the substrate and positioned to form an array having at least one dimension, the acoustical

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transducers being configured to sense sound and to transmit input signals to the self supporting substrate(418), the substrate being configured to receive the input signals and to transmit at least one output signal to the output device(470). Wherein, the substrate includes a circuit board (418), the acoustical transducer include microphones (455,456,1020,1022,1024,1026) and the output device includes a recorder(col.52 line43-46) and a computer processor( fig.16).Deline also discloses, the substrate configured to transmit an output signal that is at least approximately the same as one of the input signals. Wherein in the plurality of acoustical transducers includes at least one acoustical transducer(1026) configured to sense sound(1020) and at least one acoustical transducer configured to transmit sound. Deline also disclose, the substrate(418) having connector coupled to at least one of the conductive paths(470) and wherein at least one of the acoustical transducers is coupled to the connectors (col.47line 65-48 line 1-10). Wherein the substrate further includes a processing device coupled to at least one of the conductive paths and at least one of the acoustical transducers to process an input signal from the at least one transducer. Deline also show, the substrate having a processing device(1060) coupled to at least one of the conductive paths(1070) and at least one of the acoustical transducer(1020) to digitize an input signal(1060) from the acoustical transducer. Wherein, the plurality of conductive path includes at least one first conductive path(1036) and at least one second conductive path(1085), the first conductive path being configured to carry at least one of the input and output signals, and at least one second conductive path being coupled to ground and located approximately to the at least one first conductive path to

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shield the first conductive path. Deline also disclose, a vehicle (fig.5-6) having an interior (1000) with the substrate and the acoustical transducers being positioned in the interior. Wherein the acoustical transducer, are positioned to sense noise produced by at least one of the vehicle and an environment surrounding the vehicle.

3. Claims 1 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Santiago(7106876)

Santiago discloses an acoustical system in figs,1-9 comprising: an acoustical system, comprising: a substrate(325) having a plurality of conductive paths(701,702) the substrate being operatively coupled to an output device(725), and a plurality of acoustical transducers(342,352) carried by the substrate and positioned to form an array having at least one dimension, the acoustical transducers being configured to sense sound and to transmit input signals to the self supporting substrate, the substrate being configured to receive the input signals and to transmit at least one output signal to the output device. Wherein, the system (fig8) includes at least one resistor(R5 and capacitor(C1).

4. Claims 19-21, 24-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Santiago(7106876).

Satiago discloses an acoustical system in fig. 1-9 comprising: a first substrate (325) located in the first cartridge containing transducer (350) microphones (340) having a plurality of conductive paths(701,702), the first substrate being operatively coupled to an output device(725); at least one acoustical transducer carried by the first substrate.

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Wherein, the first acoustical transducer (342) being configured to sense sound and to transmit a first input signal to the first substrate(325). Satiago also disclose, the first substrate (325) being configured to receive the first input signal (fig.7) and to transmit a first output signal to the output device (725). Satiago also disclose, a second substrate (325) located in the second cartridge containing transducer (350) microphones 340) having a plurality of conductive paths (710,730), the second substrate being operatively coupled to the output device or another output device', and at least one second acoustical transducer (352) carried by at least one second substrate. Wherein, the second acoustical transducer (352) being configured to sense sound and to transmit a second input signal (fig.7) to the second substrate (325). Santiago also disclose, the second substrate(325) being configured to transmit a second output signal to the output device (725) or the other output device and the first and second substrates being coupled together to position the first and second acoustical transducers in an array having at least one dimension. Wherein the first and second substrate are releasably coupled together and at least one of the first and second substrate is operatively coupleable to the output device (725). Satiago also disclose, the first and second substrates position relative to each in a first configuration that conforms to a first volume of space and positionable relative to each other in a second configuration that conforms to a second volume of space different than the first volume space.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen B. Addison whose telephone number is 571-272-2017. The examiner can normally be reached on 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KBA  
1/04/07

